



## TOWN COUNCIL – AGENDA REQUEST FORM

THIS FORM WILL BECOME PART OF THE BACKGROUND INFORMATION USED BY THE COUNCIL AND PUBLIC

Please submit Agenda Request Form, **including back up information**, 8 days prior to the requested meeting date. **Public Hearing requests must be submitted 20 days prior to requested meeting date to meet publication deadlines** (exceptions may be authorized by the Town Manager, Chairman/Vice Chair).

### MEETING INFORMATION

Date Submitted: July 2, 2015

Date of Meeting: July 16, 2015

Submitted by: Town Council Vice Chair Tom Mahon

Department:

Time Required: 20 minutes

Speakers:

Background Info. Supplied: Yes: ☒ No: ☐

### CATEGORY OF BUSINESS (PLEASE PLACE AN "X" IN THE APPROPRIATE BOX)

Appointment:	<input type="checkbox"/>	Recognition/Resignation/Retirement:	<input type="checkbox"/>
<b>Public Hearing:</b>	<input checked="" type="checkbox"/>	Old Business:	<input type="checkbox"/>
New Business:	<input type="checkbox"/>	Consent Agenda:	<input type="checkbox"/>
Nonpublic:	<input type="checkbox"/>	Other:	<input type="checkbox"/>

### TITLE OF ITEM

Public Hearing - Zoning Ordinance Amendments

### DESCRIPTION OF ITEM

The Town Council will hold a public hearing to consider amendments to the Zoning Ordinance (Sections 1, 2 and 17), pursuant to RSA 675:6, 675:7 and Charter Article V.

### REFERENCE (IF KNOWN)

RSA:	675:6, 675:7	Warrant Article:	
Charter Article:	V	Town Meeting:	
Other:		N/A	

### EQUIPMENT REQUIRED (PLEASE PLACE AN "X" IN THE APPROPRIATE BOX)

Projector:	<input type="checkbox"/>	Grant Requirements:	<input type="checkbox"/>
Easel:	<input type="checkbox"/>	Joint Meeting:	<input type="checkbox"/>
Special Seating:	<input type="checkbox"/>	Other:	<input type="checkbox"/>
Laptop:	<input type="checkbox"/>	None:	<input type="checkbox"/>

### CONTACT INFORMATION

Name:	Tom Mahon	Address:	
Phone Number:		Email Address:	tmahon@merrimacknh.gov

### APPROVAL

Town Manager: Yes ☒ No: ☐ Chair/Vice Chair: Yes ☒ No: ☐

Hold for Meeting Date: \_\_\_\_\_



**LEGAL NOTICE**  
**Town of Merrimack**  
**Public Hearing**



Residents of Merrimack are hereby advised that the Town Council will conduct a public hearing to consider amendments to the Zoning Ordinance (Sections 1, 2, and 17), pursuant to RSA 675:6 & 675:7 and Charter Article 5.

**The amendments are summarized as follows:**

- Section 1 – Definitions
  - Insert new definitions for Alternative Treatment Center (ATC), Alternative Treatment Center (Cultivation Location Only), and Alternative Treatment Center (Non-Cultivation Location).
  - Renumber remainder of section as appropriate
- Section 2 – Establishment of Districts
  - Create new Subsection 2.02.2.D, creating a conditional use permit process for ATC's (Non-Cultivation)
  - Amend Subsection 2.02.3.D, creating a conditional use permit process for ATC's (Non-Cultivation), re-numbering existing CUP subsection for self-storage facilities
  - Create new Subsection 2.02.4.C, creating a conditional use permit process for ATC's (Cultivation and Non-Cultivation), renumber remainder of subsection
  - Create new Subsection 2.02.4.F, creating a conditional use permit process for ATC (Non-Cultivation), renumber remainder of subsection
- Section 17 – Signs
  - Create new Subsection 17.10.12, creating signage requirements for ATC's

**The public hearing will be held on Thursday, July 16, 2015 at 7:00 PM in the Matthew Thornton Room located at 8 Baboosic Lake Road in Merrimack.**

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**For Town of Merrimack Use:**

Posted: July 2, 2015

To Be Published: July 6, 2015 (*Union Leader*)

# **TITLE LXIV PLANNING AND ZONING**

## **CHAPTER 675 ENACTMENT AND ADOPTION PROCEDURES**

### **Zoning Ordinance, Historic District Ordinance and Building Code Enactment Procedures**

#### **Section 675:6**

**675:6 Method of Adoption.** – Every local master plan, subdivision regulation, site plan review regulation and historic district regulation referred to in this title shall be adopted or amended by the planning board or historic district commission, as appropriate, in the following manner:

I. The board or commission, as appropriate, shall hold a public hearing prior to adoption or amendment. Notice for the time and place of the hearing shall be as provided in RSA 675:7.

II. The board or commission, as appropriate, may adopt or amend the master plan or regulation upon completion of the public hearing by an affirmative vote of a majority of its members.

III. No master plan, regulation, amendment or exception adopted under this section shall be legal or have any force and effect until copies of it are certified by a majority of the board or commission and filed with the city clerk, town clerk, or clerk for the county commissioners.

IV. The historic district commission may adopt or amend regulations only after the commission has held a public hearing within the district. Notice for the time and place shall be as provided in RSA 675:7. The adopted regulations shall be certified by a majority of the historic district commission members and filed with the city clerk, town clerk, or clerk for the county commissioners.

**Source.** 1983, 447:1. 1985, 103:24. 1989, 266:26, eff. July 1, 1989.



# **TITLE LXIV PLANNING AND ZONING**

## **CHAPTER 675 ENACTMENT AND ADOPTION PROCEDURES**

### **Zoning Ordinance, Historic District Ordinance and Building Code Enactment Procedures**

#### **Section 675:7**

##### **675:7 Notice Requirements for Public Hearing. –**

I. Notice shall be given for the time and place of each public hearing held under RSA 675:2-4 and RSA 675:6 at least 10 calendar days before the hearing. The notice required under this section shall not include the day notice is posted or the day of the public hearing. Notice of each public hearing shall be published in a paper of general circulation in the municipality and shall be posted in at least 2 public places. Any person owning property in the municipality may request notice of all public hearings on proposed amendments to the zoning ordinance, and the municipality shall provide notice, at no cost to the person, electronically or by first class mail. If a proposed amendment to a zoning ordinance would change a boundary of a zoning district and the change would affect 100 or fewer properties, notice of a public hearing on the amendment shall be sent by first class mail to the owners of each affected property. If a proposed amendment to a zoning ordinance would change the minimum lot sizes or the permitted uses in a zoning district that includes 100 or fewer properties, notice of a public hearing on the amendment shall be sent by first class mail to the owner of each property in the district. Notice by mail shall be sent to the address used for mailing local property tax bills, provided that a good faith effort and substantial compliance shall satisfy the notice by mail requirements of this paragraph. Petitioned amendments as authorized in RSA 675:4 shall not be subject to notification by mail requirements.

II. The full text of the proposed master plan, zoning ordinance, building code, subdivision regulation, site plan review regulation and historic district regulation, ordinance, or amendment need not be included in the notice if an adequate statement describing the proposal and designating the place where the proposal is on file for public inspection is stated in the notice. The notice of a hearing on a proposed amendment to a zoning ordinance to be sent electronically or by first class mail shall include a statement describing, to the greatest extent practicable and in easily understood language, the proposed changes to the zoning ordinance, the areas affected, and any other information calculated to improve public understanding of the proposal.

**Source.** 1983, 447:1. 1985, 103:24, eff. Jan. 1, 1986. 2014, 161:8, eff. July 10, 2014.